

Order of Hearing for Variance Application:

1. Recusal / Party Challenges to Board Members (Evidentiary Hearing)

Chairperson reads the following questions:

Has any Board member communicated with other Board members, the Applicant, or Town Staff about this application?

Does any Board member have a fixed opinion that is not susceptible to change?

Does any Board member have a close, familial, business, or associational relationship with the applicant?

Does any Board member have a financial interest in the outcome of this matter?

Ask each member if their answer is yes to any of those questions. If yes, then they have a conflict and can recuse themselves or the Board can vote to recuse them

2. Hearing

(Evidentiary Hearing)

Call on Applicant to present evidence (Burden)

Board questions

Town cross-exam

Call on Town to present evidence

Board questions

Applicant cross-exam

Ask for "Aggrieved Public" Testimony (if relevant)

Board questions

Town cross-exam

Applicant cross-exam

3. Discussion and Vote (four-fifths majority required to grant the Variance)

Chairperson reads: Board Members, you are to make one of the following decisions:

Approve the Variance;

Approve the Variance with conditions; or

Deny the Variance.

Please state reasons for the approval, conditional approval, or denial.